

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jorge R.,

Case No. 18-CV-02703 (SRN/KMM)

Petitioner,

v.

ORDER

Jefferson Beauregard Sessions et al.,

Respondents.

Jorge R., pro se.

Ana H. Voss, United States Attorney's Office, 300 South 4th Street, Suite 600,
Minneapolis, MN 55415, for Respondents.

SUSAN RICHARD NELSON, United States District Judge

Petitioner, a citizen of Mexico, filed a Petition for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 by a Person Subject to Indefinite Immigration Detention [Doc. No. 1]. On March 6, 2019, Petitioner was removed to Mexico. (*See* Voss Decl, Ex. 1 [Doc. No. 16-1].)

Article III of the Constitution grants jurisdiction over cases and controversies. *Ali v. Cangemi*, 419 F.3d 722, 723 (8th Cir. 2005). If a subsequent development in a case results in a court's inability to "grant effective relief, the case is considered moot." *Id.* (citation omitted); *see also Roberts v. Norris*, 415 F.3d 816, 819 (8th Cir. 2005).

In the case of a petition for habeas corpus brought by an immigration detainee, once the petitioner “has been removed from the United States and deported to his native country . . . his petition seeking release from ICE custody becomes moot, as there is no longer a live case or controversy as required by Article III.” *Estrada-Heredia v. Holder*, No. 12-cv-1157 (SRN/SER), 2012 WL 4839113, at *2 (D. Minn. Sept. 25, 2012) (citations omitted), *adopted by* 2012 WL 4839019 (D. Minn. Oct 11, 2012).

The Government has advised the Court that Petitioner has been removed from the United States. (See Voss Declaration, Ex. 1 [Doc. No. 16-1]). Because Petitioner has been deported from this country, “[t]his Court can no longer order the relief sought in the Petition.” *Estrada-Heredia*, 2012 WL 4839913, at *2. Accordingly, because there is no longer a justiciable case or controversy, the petition must be denied as moot.

Based on the foregoing, and all the files, records and proceedings herein, IT IS HEREBY ORDERED that:

1. Petitioner’s Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 [Doc. No. 1] is DENIED; and
2. This action is DISMISSED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 21, 2019

s/ Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge